

Express Mail No.: EV734458837US

9D-EC-19335
PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Timothy Jay Smith, et al. :
Serial No.: 09/475,961 : Art Unit: 3629
Filed: December 30, 1999 : Examiner: Richard S. Woo
For: DELIVERY MANAGEMENT :
SYSTEM :

**PETITION TO SECURE NON-PROVISIONAL FILING DATE AS OF MAILING
DATE VIA EXPRESS MAIL**

Mail Stop: PETITIONS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicants respectfully request that the filing receipt in the non-provisional application (09/475,961) be corrected to set forth the correct filing date of 12/30/99. Applicants respectfully request that the non-provisional application be accorded the filing date on which the papers were sent "Express Mail Post Office to Addressee" mailing label number EJ 104656625 US on 12/30/99.

The correct filing date of the non-provisional application is 12/30/1999. Please note that the Corrected Filing Receipt dated 3/15/02 which shows the correct filing date of 12/30/1999. However, a subsequent Updated Filing Receipt dated 11/20/02 listed the filing date incorrectly as 09/16/2002.

Submitted herewith in support of the requested correction is:

- ☐ A copy of the non-provisional application U.S. Post Office Express Mail label number EJ 104656625 US mailing receipt establishing the deposit of the Express Mail on December 30, 1999.

10/03/2005 YPOLITE1 00000044 012384 09475961

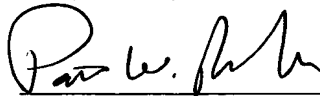
01 FC:1462 400.00 DA

- ☐ A copy of the non-provisional application Return Post Card with Express Mail mailing label number EJ 104656625 US thereon as submitted to the U.S. Patent and Trademark Office with date-stamp thereon (setting forth a date of December 30, 1999).
- ☐ A copy of the non-provisional application Express Mail mailing label number EJ 104656625 US thereon as submitted to the U.S. Patent and Trademark Office with date-in completed by the U.S. Post Office (setting forth a date of December 30, 1999).
- ☐ A copy of the non-provisional application Certificate of Mailing by "Express Mail" with mailing label number EJ 104656625 US thereon (setting forth a date of mailing of December 30, 1999).
- ☐ A copy of the Non-provisional Application Corrected Filing Receipt from the U.S. Patent and Trademark Office dated 3/15/02 correctly listing the filing date as 12/30/99.
- ☐ A copy of the Non-provisional Application Updated Filing Receipt from the U.S. Patent and Trademark Office dated 11/20/02 incorrectly listing the filing date at 09/16/02 (It appears this is where the filing date error occurred).

Applicants request that a new, corrected filing receipt for non-provisional application (09/475,961) be issued and that the Assignment Division be notified so they will re-record the Assignment with the correct filing date of 12/30/1999.

A \$130.00 Petition Fee (37 C.F.R. 1.17(h)) is submitted herewith. Please Charge Deposit Account 01-2384 in the amount of \$130.00. If the fee required for this petition is different from the amount specifically authorized, please consider this as authorization to charge the necessary fee to the Deposit Account. Pursuant to MPEP 506.02, Applicants submit that no defect exists and, accordingly, requests a refund of the petition fee of \$130.00.

Respectfully Submitted,



Patrick W. Rasche
Registration No. 37,916
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070



EXPRESS MAIL
UNITED STATES POSTAL SERVICE™

POST OFFICE TO ADDRESS E J104656625US

ORIGIN (POSTAL USE ONLY)		Flat Rate Envelope	
PO Zip Code	Day of Delivery	Next	Second
Date in	Mo. Day Year	12 Noon	3 PM
Time in	Mo. Day Year	Military	Return Receipt Fee
Weight	AM PM	2nd Day	3rd Day
No Delivery	Weekend	Int'l Alpha Country Code	COD Fee
Insurance Fee	Insurance Fee	Total Postage & Fees	

**SEE REVERSE SIDE FOR
SERVICE GUARANTEE AND
INSURANCE COVERAGE LIMITS**

CUSTOMER USE ONLY

METHOD OF PAYMENT

Express Mail Corporate Acct. No.

Federal Agency Acct. No. or
Postal Service Acct. No.

WARRANTY OF SIGNATURE (Domestic Only) Additional insurance is not available for signature. If requested, the delivery agent will obtain the signature of the addressee or addressee's agent. (If delivery employee judges that the certificate is in secure location) and authorize that delivery employee's signature constitutes valid proof of delivery.

NO DELIVERY ☐ Weekend ☐ Holiday

FROM: (PLEASE PRINT)

TO: (PLEASE PRINT)

PHONE ()

4525 E. Rudonnet
Apostrophe Park AP2-225
Louisville, KY 40225

Commissioner of Patents & Trademarks
Washington, DC 20231

FOR PICKUP OR TRACKING CALL 1-800-222-1811

www.usps.gov



Label 11-B July 1997



Customer Copy





The following has been received
by U.S. Patent Office on the date
stamped below:

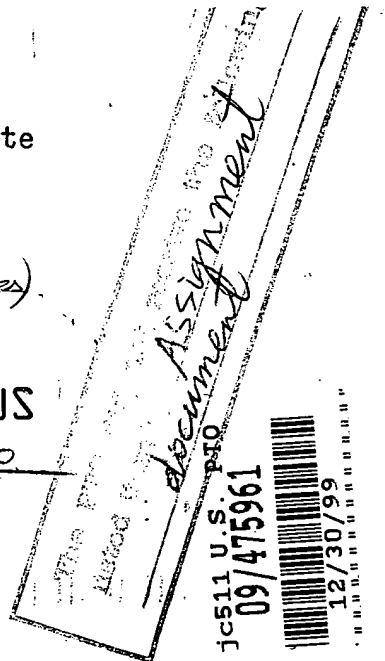
~~Drawings~~ (9 sheets)
Specification and Claims (26 pages)
Declaration, Power of Attorney,
and Petition
~~Assignment~~

EJ104656625US

Check in the amount of \$ 800.00

Inventor: *Timothy J. Smith et al*

Docket No.: *ED EC-19335*



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Timothy J. Smith et al

Docket No.: 9D-EC-19335

Title: DELIVERY MANAGEMENT SYSTEM

Honorable Commissioner of Patents and Trademarks,
Washington, DC 20231

SIR:

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number EJ104656625US

Date of Deposit: December 30, 1999

I hereby certify that an Application (26 pages), Informal Drawings (9 sheets), and a Combined Declaration and Power of Attorney are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the Date of Deposit indicated above, addressed to the Commissioner of Patents and Trademarks, Washington, DC 20231.

REGINA MARTIN

Typed or printed name of person mailing application

Regina Martin

Signature of person mailing application

Respectfully submitted,

George L. Rideout, Jr.

George L. Rideout, Jr.

Reg. No. 43,880

December 30, 1999
Louisville, Kentucky 40225
(502)452-7792



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/475,961	12/30/1999		1128	9D-EC-19335	9	40	4

CONFIRMATION NO. 7120

CORRECTED FILING RECEIPT



OC000000007646497

John S. Beulick
Armstrong Teasdale LLP
One Metropolitan Square, Suite 2600
St. Louis, MO 63102

Date Mailed: 03/15/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

TIMOTHY JAY SMITH, ELIZABETHTOWN, KY;
TERRY RAY STOUT, LOUISVILLE, KY;
GREGORY TODD ELLINGTON, LOUISVILLE, KY;
JEFFREY ALLEN HUME, LOUISVILLE, KY;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted 02/10/2000

Projected Publication Date: Not Applicable, filed prior to November 29, 2000

Non-Publication Request: No

Early Publication Request: No

Title

DELIVERY MANAGEMENT SYSTEM

Preliminary Class

ENTERED
Date: 3/22/02
By: mce
13307-209



UNITED STATES
PATENT AND
TRADEMARK OFFICE



Commissioner for Patents
Washington, DC 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/475,961	09/16/2002	2152	1258	9D-EC-19335	9	40	4

John S. Beulick
Armstrong Teasdale LLP
One Metropolitan Square, Suite 2600
St. Louis, MO 63102

should be

12/30/99

CONFIRMATION NO. 7120

UPDATED FILING RECEIPT



OC00000009129449

Date Mailed: 11/20/2002

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

Applicant(s)

TIMOTHY JAY SMITH, ELIZABETHTOWN, KY;
TERRY RAY STOUT, LOUISVILLE, KY;
GREGORY TODD ELLINGTON, LOUISVILLE, KY;
JEFFREY ALLEN HUME, LOUISVILLE, KY;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted 02/10/2000

Projected Publication Date: --> 03/18/2004

Non-Publication Request: No

Early Publication Request: No

Title

DELIVERY MANAGEMENT SYSTEM

Preliminary Class

ENTERED

Date: *12/2/02*

By: *mce*

13307-209